



I assent,

CUTHBERT M SEBASTIAN

*Governor-General*

14<sup>th</sup> March 2001.

## SAINT CHRISTOPHER AND NEVIS

### No. 7 of 2001

AN ACT to amend the Customs (Control and Management)  
Act 1992, No. 4 to prescribe prohibited and restricted items of  
importation and exportation.

(14\* March 2001.)

Commencement.

BE IT ENACTED by the Queen's Most Excellent Majesty, by  
and with the advice and consent of the National Assembly of Saint  
Christopher and Nevis, and by the authority of the same as follows:

1. This Act may be cited as the Customs (Control and  
Management) (Amendment) Act, 2001.

Short title.

2. The Customs (Control and Management) Act 1992, No. 4 (in  
this Act referred to as "the principal Act") is amended by deleting  
section 84 and substituting the following section:

Substitution of  
section 84.

\*Restricted and  
prohibited  
imports and  
exports.

84. (1) No goods, class or description of  
goods, prescribed in Part I of the Fourth Schedule  
shall be imported into Saint Christopher and Nevis.

(2) No goods, class or description of  
goods, prescribed in Part II of the Fourth Schedule  
shall be imported into Saint Christopher and Nevis  
except in accordance with the conditions and  
restrictions prescribed in that Part.

(3) No goods, class or description of  
goods, prescribed in Part III of the Fourth Schedule  
shall be exported from Saint Christopher and Nevis.

(4) No goods, class or description of  
goods, prescribed in Part IV of the Fourth Schedule  
shall be exported from Saint Christopher and Nevis  
except in accordance with the conditions and  
restrictions prescribed in that Part.

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(5) The Minister may by Order:

- (a) delete from, vary or add to the goods, classes or description of goods prescribed in the Fourth Schedule;
- (b) vary the conditions or restrictions in Parts II and IV of the Fourth Schedule;
- (c) prohibit or restrict, subject to such conditions and restrictions as the Order may impose, the importation, exportation or carriage coastwise of any goods, class or description of goods specified in the Order to or from any place in Saint Christopher and Nevis so specified."

insertion of  
Fourth schedule. 3. The principal Act is amended by inserting the contents of the Schedule to this Act immediately after the Third Schedule.

**SCHEDULE**

**"FOURTH SCHEDULE**

*(section 84)*

**PROHIBITIONS AND RESTRICTIONS**

**PART I**

**PROHIBITED IMPORTS**

1. Base or counterfeit coin or currency notes from any country.
2. Coin or currency notes legally current in Saint Christopher and Nevis or any money purporting to be such, not being of the established standard in weight and fineness.
3. Articles or food intended for human consumption declared by the competent public health authority to be unfit for such purpose.
4. Indecent or obscene prints, paintings, photographs, books, cards, lithographic or other engravings, phonograph records, videos or any other indecent articles or matter.
5. Matches which contain white or yellow phosphorus.
6. Prepared opium and pipes or other utensils for use in connection with the smoking of opium or other narcotic drugs.

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7. Preparations of opium or other narcotic drugs for smoking.
8. Any pistol or other apparatus in the form of a stylographic pen or pencil capable of firing any kind of shot or cartridge whatsoever or any cartridge containing tear gas.
9. Fictitious stamps or any die, plate, instrument or materials capable of making any such stamps.
10. Flick knives, gravity knives, black jack, bludgeon, switch knives and blades, night sticks, ratchet knives and other similar knives with flying blades, dagger or any sword, knife or any instrument having a blade ending up in a sharp point, which is not primarily designed for use in a profession, craft or business or for domestic use.
11. Shock baton and stun guns.
12. All publications, articles or other matter associated with black magic, secret magic, obeah, witchcraft or other magical arts and occultism.
13. Seditious publications, articles, prints, phonograph records or video.
14. Goods, the importation of which is prohibited by any other enactment.

## **PART II**

### **RESTRICTED IMPORTS**

1. Firearms and ammunition including any lethal bared weapon from which any shot, bullet or other missile can be discharged or noxious fumes or liquid can be emitted or any component part of any such weapon or any accessory to such weapon designed or adapted to diminish the noise or other flash caused by firing such weapon unless with the written permission of the Commissioner of Police.
2. Pepper spray and mace, unless with the written permission of the Commissioner of Police.
3. Explosives, unless with the written permission of the Commissioner of Police.
4. Handcuff of any type unless with the written permission of the Commission of Police.
5. Radio and television transmitting equipment, including walkie talkies unless under licence from the Minister of Communications.
6. Cannabis sativa, including parts of the plant, cannabis Indica, choras, ganja or any preparation or mixture of cannabis, choras or ganja, unless under licence from the Chief Medical Officer.
7. Narcotic drugs and psychotropic substances including controlled drugs unless under licence from the Chief Medical Officer.
8. Any goods whatsoever which bear a design in imitation of any currency or bank notes or coin in common use in Saint Christopher and Nevis or elsewhere unless with the approval of the Comptroller of Customs.

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9. Tear gas or any ingredient which may produce what is commonly known as tear gas or tear smoke unless with the written authority of the Minister responsible for National Security.
10. Laser pointers.
11. Any goods whatsoever which bear the Coat of Arms or the Flag of Saint Christopher and Nevis or any facsimile imitation or representation thereof, unless with the approval of the Minister responsible for National Security.
12. All goods which if sold would be liable to forfeiture under the Merchandise Marks Act, Chapter 345 and also all goods of foreign manufacture bearing any name or trade mark or purporting to bear the name or trade mark of any manufacturer, dealer or trader in Saint Christopher and Nevis, unless such trade name or trade mark is accompanied by a specific indication of the country in which the goods were made or produced.
13. Rare or threatened species of animals or plants, (including whales, elephants, flamingoes, parrots, turtles, tortoises, black coral, tree ferns and orchids), their products and derivatives, (including ivory necklaces, carvings and rings, fur coat of protected species, turtles shell combs, necklaces, bracelets and black coral jewellery), whose international trade is regulated by the Convention on International Trade in Endangered Species (CITES) unless such goods are accompanied by the appropriate permits signed by the CITES authorities in the country of exportation or importation.
14. Night scope binoculars and similar night vision instruments or apparatus of a kind generally used by the Armed Forces, Para Military and other law enforcement agencies, unless with the written permission of the Minister responsible for National Security.
15. Uniforms or clothing including camouflage clothing used by the St Kitts and Nevis Defence Force or the Royal St Kitts and Nevis Police Force or closely resembling the uniform or clothing used by the Police or the Defence Force, unless with the written permission of the Commissioner.
16. Ozone Depleting Substances to be restricted under the Montreal Protocol on Substances that Deplete the Ozone Layer, 1987 and specified under Annexes A to E, unless under licence from the Minister responsible for the Environment.

## ANNEX A

<b>Group I</b>	<b>Substances</b>
CFCl <sub>3</sub>	CFC-11
CF <sub>2</sub> Cl <sub>2</sub>	CFC-12
C <sub>2</sub> F <sub>3</sub> Cl <sub>3</sub>	CFC-113
C <sub>2</sub> F <sub>4</sub> Cl <sub>2</sub>	CFC-114
C <sub>2</sub> F <sub>5</sub> Cl	CFC-115

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CF <sub>2</sub> BrCl	halon-1211
CF <sub>3</sub> Br	halon-1301
C <sub>2</sub> F <sub>4</sub> Br <sub>2</sub>	halon-2402

**ANNEX B: Products containing controlled substances specified in Annex A**

- (a) Automobiles and truck air conditioning units (whether incorporated in vehicle or not)
- (b) Domestic and commercial refrigeration and air conditioning/heat pump equipment
  - e.g
  - (i) Refrigerators
  - (ii) Freezers
  - (iii) Dehumidifiers
  - (iv) Water coolers
  - (v) Ice machines
  - (vi) Air conditioning and heat pump units
- (c) Aerosol products, except medical aerosols<sup>^</sup>
- (d) Portable fire extinguisher
- (e) Insulation boards, panels and pipe covers
- (f) Pre-polymers

**ANNEX C****Group I**

	<b>Substances</b>
CF <sub>3</sub> Cl	CFC-13
C <sub>2</sub> FCl <sub>5</sub>	CFC-111
C <sub>2</sub> F <sub>2</sub> Cl <sub>4</sub>	CFC-112
C <sub>3</sub> FCl <sub>7</sub>	CFC-211
C <sub>3</sub> F <sub>2</sub> Cl <sub>6</sub>	CFC-212
C <sub>3</sub> F <sub>3</sub> Cl <sub>5</sub>	CFC-213
C <sub>3</sub> F <sub>4</sub> Cl <sub>4</sub>	CFC-214
C <sub>3</sub> F <sub>5</sub> Cl <sub>3</sub>	CFC-215
C <sub>3</sub> F <sub>6</sub> Cl <sub>2</sub>	CFC-216
C <sub>3</sub> F <sub>7</sub> Cl	CFC-217

**Group II**

CCl <sub>4</sub>	carbon tetrachloride
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*The Customs (Control and Management) (Amendment) Act, 2001 - 7.***Group III**C<sub>2</sub>H<sub>3</sub>Cl<sub>3</sub>1,1,1 -trichloroethane  
(methyl chloroform)

## ANNEX D

**Group I**

CHFC1<sub>2</sub>  
 CHF<sub>2</sub>Cl  
 CH<sub>2</sub>FC1  
 C<sub>2</sub>HFC1<sub>4</sub>  
 C<sub>2</sub>HF<sub>2</sub>Cl<sub>3</sub>  
 C<sub>2</sub>HF<sub>3</sub>Cl<sub>2</sub>  
 CHCl<sub>2</sub>CF<sub>3</sub>  
 C<sub>2</sub>HF<sub>4</sub>Cl  
 CHFC1CF<sub>3</sub>  
 C<sub>2</sub>H<sub>2</sub>FC1<sub>3</sub>  
 C<sub>2</sub>H<sub>2</sub>F<sub>2</sub>Cl<sub>2</sub>  
 C<sub>2</sub>H<sub>2</sub>F<sub>3</sub>Cl  
 C<sub>2</sub>H<sub>3</sub>FC1<sub>2</sub>  
 CH<sub>3</sub>CFC1<sub>2</sub>  
 C<sub>2</sub>H<sub>3</sub>F<sub>2</sub>Cl  
 CH<sub>3</sub>CF<sub>2</sub>Cl  
 C<sub>2</sub>H<sub>4</sub>FC1  
 C<sub>3</sub>HFC1<sub>6</sub>  
 C<sub>3</sub>HF<sub>2</sub>Cl<sub>5</sub>  
 C<sub>3</sub>HF<sub>3</sub>Cl<sub>4</sub>  
 C<sub>3</sub>HF<sub>4</sub>Cl<sub>3</sub>  
 C<sub>3</sub>HF<sub>5</sub>Cl<sub>2</sub>  
 CF<sub>3</sub>CF<sub>2</sub>CHCl<sub>2</sub>  
 CF<sub>2</sub>C1CF<sub>2</sub>CHCLF  
 C<sub>3</sub>HF<sub>6</sub>Cl  
 C<sub>3</sub>H<sub>2</sub>FC1<sub>5</sub>  
 C<sub>3</sub>H<sub>2</sub>F<sub>2</sub>Cl<sub>4</sub>  
 C<sub>3</sub>H<sub>2</sub>F<sub>3</sub>Cl<sub>3</sub>  
 C<sub>3</sub>H<sub>2</sub>F<sub>4</sub>Cl<sub>2</sub>  
 C<sub>3</sub>H<sub>2</sub>F<sub>5</sub>Cl  
 C<sub>3</sub>H<sub>3</sub>FC1<sub>4</sub>  
 C<sub>3</sub>H<sub>3</sub>F<sub>2</sub>Cl<sub>3</sub>  
 C<sub>3</sub>H<sub>3</sub>F<sub>3</sub>Cl<sub>2</sub>  
 C<sub>3</sub>H<sub>3</sub>F<sub>4</sub>Cl  
 C<sub>3</sub>H<sub>4</sub>FC1<sub>3</sub>  
 C<sub>3</sub>H<sub>4</sub>F<sub>2</sub>Cl<sub>2</sub>  
 C<sub>3</sub>H<sub>4</sub>F<sub>3</sub>Cl

**Substances**

HCFC-21  
 HCFC-22  
 HCFC-31  
 HCFC-121  
 HCFC-122  
 HCFC-123  
 HCFC-123  
 HCFC-124  
 HCFC-124  
 HCFC-124  
 HCFC-131  
 HCFC-132  
 HCFC-133  
 HCFC-141  
 HCFC-141b  
 HCFC-142  
 HCFC-142b  
 HCFC-151  
 HCFC-221  
 HCFC-222  
 HCFC-223  
 HCFC-224  
 HCFC-225  
 HCFC-225ca  
 HCFC-225cb  
 HCFC-226  
 HCFC-231  
 HCFC-232  
 HCFC-233  
 HCFC-234  
 HCFC-235  
 HCFC-241  
 HCFC-242  
 HCFC-243  
 HCFC-244  
 HCFC-251  
 HCFC-252  
 HCFC-253

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$C_3H_5FC1_2$	HCFC-261
$C_3H_5F_2Cl$	HCFC-262
$C_3H_6FC1$	HCFC-271

**Group II****Substance**

$CHFBr_2$	
$CHF_2Br$	HBFC-22B1
$CH_2FBr$	
$C_2HFBr_4$	
$C_2HF_2Br_3$	
$C_2HF_3Br_2$	
$C_2HF_4Br$	
$C_2H_2FBr_3$	
$C_2H_2F_2Br_2$	
$C_2H_2F_3Br$	
$C_2H_3FBr_2$	
$C_2H_3F_2Br$	
$C_2H_4FBr$	
$C_3HFBr_6$	
$C_3HF_2Br_5$	
$C_3HF_3Br_4$	
$C_3HF_4Br_3$	
$C_3HF_5Br_2$	
$C_3HF_6Br$	
$C_3H_2FBr$	
$C_3H_2F_2Br_5$	
$C_3H_2F_2Br_4$	
$C_3H_2F_3Br_3$	
$C_3H_2F_4Br_2$	
$C_3H_2F_5Br$	
$C_3H_3FBr_4$	
$C_3H_3F_2Br_3$	
$C_3H_3F_3Br_2$	
$C_3H_3F_4Br$	
$C_3H_4FBr_3$	
$C_3H_4F_2Br_2$	
$C_3H_4F_3Br$	
$C_3H_5FBr_2$	
$C_3H_5F_2Br$	
$C_3H_6FBr$	

**Group III****Substance**

$CH_2BrCl$	bromochloromethane
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*The Customs (Control and Management) (Amendment) Act, 2001 - 7.*

## ANNEX E

<b>Group I</b>	<b>Substance</b>
CH <sub>3</sub> Br	methyl bromide

16. Goods, the importation of which is regulated by any other enactment unless in accordance with such enactment.

**PART III**  
**PROHIBITED EXPORTS**

1. Goods the exportation of which is prohibited by any enactment.

**PART IV**  
**RESTRICTED EXPORTS**

1. Narcotic drugs and psychotropic substances unless under licence from the Chief Medical Officer.
2. Any goods whatsoever which bear the Coat of Arms or the Flag of Saint Christopher and Nevis or any facsimile imitation or representation thereof, unless with the approval of the Minister.
3. Rare or threatened species of animals or plants, their products and derivatives, except such goods are accompanied by the appropriate permits issued by the CITES authorities.
4. Foreign currency exceeding the prescribed amount unaccompanied by exchange control permission.
5. Goods the exportation of which is regulated by any other enactment unless in accordance with such enactment”.

WALFORD V GUMBS  
*Speaker*

Passed by the National Assembly this 28<sup>th</sup> day of February 2001.

JOSE LLOYD  
*Clerk of the National Assembly*